

# FY03 Omnibus Appropriations Bill Side By Side

<b>BILL (HOUSE)</b> Commerce Justice State the Judiciary and Related Agencies Appropriations Bill, 2003 (H.R. 247) <b>National Oceanic and Atmospheric Administration  (NOAA)</b>		<b>BILL (SENATE)</b> <b>HJ Res 2, Amendment 1- FY 2003 Omnibus  Appropriations Act</b> <b>National Oceanic and Atmospheric Administration  (NOAA)</b>		<b>BILL (CONFERENCE)</b> HJ Res 2- FY 2003 Omnibus Appropriations Act (P.L. 108- 7) <b>National Oceanic and Atmospheric Administration  (NOAA)</b>
<p style="text-align: center;">A BILL</p> <p>Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2003, and for other purposes.</p> <p>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2003, and for other purposes, namely:</p>				<p>H.J.Res.2</p> <p style="text-align: center;">One Hundred Eighth Congress  of the  United States of America</p> <p style="text-align: center;">AT THE FIRST SESSION</p> <p>Begun and held at the City of Washington on Tuesday, the seventh day of January, two thousand and three  Joint Resolution</p> <p>Making consolidated appropriations for the fiscal year ending September 30, 2003, and for other purposes.</p> <p style="text-align: center;">Resolved by the Senate and House of Representatives  of the United States of America in Congress assembled,</p> <p>SECTION 1. SHORT TITLE.</p> <p>This joint resolution may be cited as the 'Consolidated Appropriations Resolution, 2003'.</p> <p>DIVISION B--COMMERCE, JUSTICE, AND STATE,  THE JUDICIARY, AND RELATED AGENCIES  APPROPRIATIONS, 2003</p> <p>Joint Resolution</p> <p>Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2003, and for other purposes.</p>

<p align="center"><b>BILL (HOUSE)</b></p> <p align="center">Commerce Justice State the Judiciary and Related Agencies Appropriations Bill, 2003 (H.R. 247) <b>National Oceanic and Atmospheric Administration (NOAA)</b></p>	<p align="center"><b>BILL (SENATE)</b></p> <p align="center"><b>HJ Res 2, Amendment 1- FY 2003 Omnibus Appropriations Act National Oceanic and Atmospheric Administration (NOAA)</b></p>	<p align="center"><b>BILL (CONFERENCE)</b></p> <p align="center">HJ Res 2- FY 2003 Omnibus Appropriations Act (P.L. 108- 7) <b>National Oceanic and Atmospheric Administration (NOAA)</b></p>
<p>TITLE II--DEPARTMENT OF COMMERCE AND RELATED AGENCIES <b>National Oceanic and Atmospheric Administration</b> OPERATIONS, RESEARCH, AND FACILITIES (INCLUDING TRANSFER OF FUNDS)</p> <p>For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized by 33 U.S.C. 883i, \$2,137,614,000, to remain available until expended: Provided, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That, in addition, \$75,000,000 shall be derived by transfer from the fund entitled 'Promote and Develop Fishery Products and Research Pertaining to American Fisheries': Provided further, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed \$2,500,000: Provided further,</p>	<p>National Oceanic and Atmospheric Administration OPERATIONS, RESEARCH, AND FACILITIES (INCLUDING TRANSFER OF FUNDS)</p> <p>For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized, \$2,349,301,000: Provided, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That the Secretary of Commerce will designate a National Marine Fisheries Service Regional Office for the Pacific Area within sixty days of enactment of this Act: Provided further, That the Regional Administrator of the regional office for the Pacific Area, who shall be hired within sixty days of enactment of</p>	<p>That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2003, and for other purposes, namely:</p> <p>TITLE II--DEPARTMENT OF COMMERCE AND RELATED AGENCIES National Oceanic and Atmospheric Administration OPERATIONS, RESEARCH, AND FACILITIES (INCLUDING TRANSFER OF FUNDS)</p> <p>For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized, \$2,313,519,000, to remain available until September 30, 2004: Provided, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31U.S.C. 3302: Provided further, That, in addition, \$65,000,000 shall be derived by transfer from the fund entitled 'Promote and Develop Fishery Products and Research Pertaining to American Fisheries': Provided further, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed \$2,000,000, unless funds</p>

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<p>That, of the \$2,232,614,000 provided for in direct obligations under this heading (of which \$2,137,614,000 is appropriated from the General Fund, \$78,000,000 is provided by transfer, and \$17,000,000 is derived from deobligations from prior years), \$358,425,000 shall be for the National Ocean Service, \$526,066,000 shall be for the National Marine Fisheries Service, \$337,020,000 shall be for Oceanic and Atmospheric Research, \$694,863,000 shall be for the National Weather Service, \$154,802,000 shall be for the National Environmental Satellite, Data, and Information Service, and \$161,438,000 shall be for Program Support: Provided further, That, hereafter, habitat conservation activities under this heading shall be considered to be within the 'Coastal Assistance sub-category' in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That, of the amount provided under this heading, \$305,016,000 shall be for the conservation activities defined in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That no general administrative charge shall be applied against an assigned activity included in this Act and, further, that any direct administrative expenses applied against an assigned activity shall be limited to 5 percent of the funds provided for that assigned activity so that total National Oceanic and Atmospheric Administration administrative expenses shall not exceed \$265,025,000:</p> <p>Provided further, That any use of deobligated balances of funds provided under this heading in previous years shall be subject to the procedures set forth in section 605</p>	<p>this Act, shall be a current employee of the Pacific Island Area Office and shall be an employee at the grade of GS-14 promotable to the grade of GS-15: Provided further, That, in addition, \$55,000,000 shall be derived by transfer from the fund entitled ``Promote and Develop Fishery Products and Research Pertaining to American Fisheries": Provided further, That in addition to the amounts provided, \$3,000,000 shall be derived by transfer from the fund entitled, ``Coastal Zone Management": Provided further, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed \$2,000,000, unless funds provided for ``Coastal Zone Management Grants" exceed funds provided in the previous fiscal year: Provided further, That if funds provided for ``Coastal Zone Management Grants" exceed funds provided in the previous fiscal year, then no State shall receive more than five percent or less than one percent of the additional funds: Provided further, That no general administrative charge shall be applied against an assigned activity included in this Act and, further, that any direct administrative expenses applied against an assigned activity shall be limited to 5 percent of the funds provided for that assigned activity: Provided further, That any use of deobligated balances of funds provided under this heading in previous years shall be subject to the procedures set forth in section 605 of this Act.</p> <p>There shall be established the Business Management</p>	<p>provided for 'Coastal Zone Management Grants' exceed funds provided in the previous fiscal year: Provided further, That if funds provided for 'Coastal Zone Management Grants' exceed funds provided in the previous fiscal year, then no State shall receive more than 5 percent or less than 1 percent of the additional funds: Provided further, That, of the \$2,395,519,000 provided for in direct obligations under this heading (of which \$2,313,519,000 is appropriated from the General Fund, \$65,000,000 is provided by transfer, and \$17,000,000 is derived from deobligations from prior years), \$417,933,000 shall be for the National Ocean Service, \$580,066,000 shall be for the National Marine Fisheries Service, \$374,740,000 shall be for Oceanic and Atmospheric Research, \$698,767,000 shall be for the National Weather Service, \$150,616,000 shall be for the National Environmental Satellite, Data, and Information Service, and \$173,397,000 shall be for Program Support: Provided further, That, of the amount provided under this heading, \$273,022,000 shall be for the conservation activities defined in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That no general administrative charge shall be applied against an assigned activity included in this Act and, further, that any direct administrative expenses applied against an assigned activity shall be limited to 5 percent of the funds provided for that assigned activity so that total National Oceanic and Atmospheric Administration administrative expenses shall not exceed \$243,000,000: Provided further, That any use of deobligated balances of funds provided under this heading in previous years shall be subject to the</p>

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<p>of this Act: Provided further, That in addition \$3,000,000 shall be derived by transfer from the fund entitled 'Coastal Zone Management': Provided further, That the Secretary of Commerce may enter into cooperative agreements with the Joint and Cooperative Institutes as designated by the Secretary to use the personnel, services, or facilities of such organizations for research, education, training, and outreach.</p> <p>In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.</p>	<p>Fund of the National Oceanic and Atmospheric Administration, which shall be available without fiscal year limitation for expense and equipment necessary for the maintenance and operations of such services and projects as the Administrator of the National Oceanic and Atmospheric Administration determines may be performed more advantageously when centralized: Provided, That a separate schedule of expenditures and reimbursements, and a statement of the current assets and liabilities of the Business Management Fund as of the close of the completed fiscal year, shall be prepared each year: Provided further, That notwithstanding 31 U.S.C. 3302(b), the Business Management Fund may be credited with advances and reimbursements from applicable appropriations of the National Oceanic and Atmospheric Administration and from funds of other agencies or entities for services furnished pursuant to law: Provided further, That any inventories, equipment, systems, real property and other assets over \$25,000, pertaining to the services to be provided by such funds, either on hand or on order, less the related liabilities or unpaid obligations, shall be used to capitalize the Business Management Fund: Provided further, That the National Oceanic and Atmospheric Administration shall provide for centralized services at rates which return in full all expenses of operation and services, including the full cost of salaries and accruing benefits and the annual costs of plant and equipment associated with services to be provided, plus an amount equal to projected</p>	<p>procedures set forth in section 605 of this Act: Provided further, That the Secretary of Commerce will designate a National Marine Fisheries Service Regional Office for the Pacific Area within 60 days of enactment of this Act: Provided further, That the existing National Marine Fisheries Service Southwest Region and Fisheries Science Center and Northwest Region and Fisheries Science Center shall not be merged or reorganized to form the new National Marine Fisheries Service Pacific Area Regional Office, that the current structure, organization, function, and funding of the Southwest and Northwest Centers will not be changed except for funds that are already dedicated to the Hawaiian Islands, and that each regional organization will have the lead responsibility for its own programs: Provided further, That the Secretary of Commerce may enter into cooperative agreements with the Joint and Cooperative Institutes as designated by the Secretary to use the personnel, services, or facilities of such organizations for research, education, training, and outreach.</p> <p>In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.</p>

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<p>PROCUREMENT, ACQUISITION AND CONSTRUCTION (INCLUDING TRANSFERS OF FUNDS)</p> <p>For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$701,282,000, to remain available until expended: Provided, That unexpended balances of amounts previously made available in the 'Operations, Research, and Facilities' account for activities funded under this heading may be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated: Provided further, That of the amounts</p>	<p>inflation, amortization of automated data processing software and hardware systems, and an amount not to exceed four percent of the full costs necessary to maintain a reasonable operating reserve and fund new requirements as determined by the Administrator: Provided further, That the Business Management Fund shall become operational no later than thirty days after enactment of this Act.</p> <p>In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.</p> <p>PROCUREMENT, ACQUISITION AND CONSTRUCTION (INCLUDING TRANSFERS OF FUNDS)</p> <p>For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$903,410,000, to remain available until September 30, 2005: Provided, That unexpended balances of amounts previously made available in the ``Operations, Research, and Facilities" account for activities funded under this heading may be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated: Provided</p>	<p>PROCUREMENT, ACQUISITION AND CONSTRUCTION (INCLUDING TRANSFERS OF FUNDS)</p> <p>For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$759,030,000, to remain available until March 1, 2006, except for funds appropriated for the National Marine Fisheries Service Honolulu Laboratory and for the National Environmental Satellites, Data, and Information Service, which shall remain available until expended: Provided, That unexpended balances of amounts previously made available in the 'Operations, Research,</p>

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<p>provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense: Provided further, That of the amount provided under this heading for expenses necessary to carry out conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, including funds for the Coastal and Estuarine Land Conservation Program, \$44,984,000, to remain available until expended: Provided further, That the Secretary shall establish a Coastal and Estuarine Land Conservation Program, for the purpose of protecting important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses:</p> <p>    Provided further, That the Secretary shall distribute these funds in consultation with the States' Coastal Zone Managers' or Governors' designated representatives based on demonstrated need and ability to successfully leverage funds, and shall give priority to lands which can be effectively managed and protected and which have significant ecological value:</p> <p>    Provided further, That grants funded under this program shall require a 100 percent match from other sources:</p> <p>    Provided further, That none of the funds provided in this Act or any other Act under the heading 'National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction' shall be used to fund the General Services Administration's standard construction</p>	<p>further, That of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense: Provided further, That the Secretary shall establish a Coastal and Estuarine Land Conservation Program, for the purpose of protecting important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses: Provided further, That none of the funds provided in this Act or any other Act under the heading ``National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction" shall be used to fund the General Services Administration's standard construction and tenant build-out costs of a facility at the Suitland Federal Center.</p>	<p>and Facilities' account for activities funded under this heading may be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated: Provided further, That of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense:</p> <p>    Provided further, That of the amount provided under this heading for expenses necessary to carry out conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, including funds for the Coastal and Estuarine Land Conservation Program, \$76,179,000, to remain available until expended:</p> <p>    Provided further, That the Secretary shall establish a Coastal and Estuarine Land Conservation Program, for the purpose of protecting important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses: Provided further, That none of the funds provided in this Act or any other Act under the heading 'National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction' shall be used to fund the General Services Administration's standard construction and tenant build-out costs of a facility at the Suitland Federal Center.</p>

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<p>and tenant build-out costs of a facility at the Suitland Federal Center.</p> <p><b>PACIFIC COASTAL SALMON RECOVERY</b></p> <p>For necessary expenses associated with the restoration of Pacific salmon populations and the implementation of the 1999 Pacific Salmon Treaty Agreement between the United States and Canada, \$90,000,000: Provided, That this amount shall be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</p> <p>In addition, for a final payment pursuant to the 1999 Pacific Salmon Treaty Agreement, \$40,000,000, of which \$25,000,000 shall be deposited in the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund, and of which \$15,000,000 shall be deposited in the Southern Boundary Restoration and Enhancement Fund:</p> <p>Provided, That this amount shall be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</p> <p><b>COASTAL ZONE MANAGEMENT FUND</b></p> <p>Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed \$3,000,000 shall be transferred to the 'Operations, Research, and Facilities' account to offset the costs of implementing such Act.</p>	<p><b>PACIFIC COASTAL SALMON RECOVERY</b></p> <p>For necessary expenses associated with the restoration of Pacific salmon populations and the implementation of the 1999 Pacific Salmon Treaty Agreement between the United States and Canada, \$78,650,000, to remain available until September 30, 2004.</p> <p>In addition, for implementation of the 1999 Pacific Salmon Treaty Agreement, \$20,000,000, of which \$10,000,000 shall be deposited in the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund, of which \$10,000,000 shall be deposited in the Southern Boundary Restoration and Enhancement Fund.</p> <p><b>FISHERMEN'S CONTINGENCY FUND</b></p>	<p><b>PACIFIC COASTAL SALMON RECOVERY</b></p> <p>For necessary expenses associated with the restoration of Pacific salmon populations and the implementation of the 1999 Pacific Salmon Treaty Agreement between the United States and Canada, \$90,000,000: Provided, That this amount shall be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</p> <p>In addition, for a final payment pursuant to the 1999 Pacific Salmon Treaty Agreement, \$40,000,000, of which \$25,000,000 shall be deposited in the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund, and of which \$15,000,000 shall be deposited in the Southern Boundary Restoration and Enhancement Fund: Provided, That this amount shall be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</p>

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<p>FISHERIES FINANCE PROGRAM ACCOUNT</p> <p>For the cost of direct loans, \$287,000, as authorized by the Merchant Marine Act of 1936, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$5,000,000 for Individual Fishing Quota loans, and not to exceed \$19,000,000 for Traditional direct loans: Provided further, That none of the funds made available under this heading may be used</p>	<p>For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$954,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.</p> <p align="center"><b>FOREIGN FISHING OBSERVER FUND</b></p> <p>For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96-339), the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Public Law 100-627), and the American Fisheries Promotion Act (Public Law 96-561), to be derived from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed \$191,000, to remain available until expended.</p> <p align="center"><b>FISHERIES FINANCE PROGRAM ACCOUNT</b></p> <p>For the cost of direct loans, \$287,000, as authorized by the Merchant Marine Act of 1936, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$5,000,000 for Individual Fishing Quota loans, and not to exceed \$19,000,000 for Traditional direct loans: Provided further, That none of the funds made available</p>	<p>FISHERMEN'S CONTINGENCY FUND</p> <p>For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$1,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.</p> <p align="center"><b>FOREIGN FISHING OBSERVER FUND</b></p> <p>For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96-339), the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Public Law 100-627), the American Fisheries Promotion Act (Public Law 96-561) and the International Dolphin Conservation Program Act (Public Law 105-42), to be derived from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed \$1,000, to remain available until expended.</p> <p align="center"><b>FISHERIES FINANCE PROGRAM ACCOUNT</b></p> <p>For the cost of direct loans, \$287,000, as authorized by the Merchant Marine Act of 1936, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$5,000,000 for Individual Fishing Quota loans, and not to exceed \$59,000,000 for Traditional direct loans, of which not less than \$40,000,000 may be used for direct loans to</p>



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<p>for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery: Provided further, That, from unobligated balances of the Bering Sea and Aleutian Island Crab Buyback Program, \$343,900 is rescinded.</p> <p>General Provisions--Department of Commerce</p> <p>SEC. 203. None of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.</p> <p>SEC. 206. The Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).</p> <p>This title may be cited as the 'Department of Commerce and Related Agencies Appropriations Act, 2003'.</p>	<p>under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.</p> <p>General Provisions--Department of Commerce</p> <p>SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.</p> <p>SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized; services as authorized; and uniforms or allowances therefore, as authorized.</p> <p>SEC. 203. Hereafter none of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.</p>	<p>the United States distant water tuna fleet: Provided further, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.</p> <p>General Provisions--Department of Commerce</p> <p>SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.</p> <p>SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefore, as authorized by law (5 U.S.C. 5901-5902).</p> <p>SEC. 203. Hereafter none of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States</p>

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	<p>SEC. 204. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.</p> <p>SEC. 205. Hereafter the Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949.</p> <p>SEC. 206. The Secretary of Commerce may use the Commerce franchise fund for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 403 of Public Law 103-356: Provided, That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made for the purpose of providing capital shall be used to capitalize such fund: Provided further, That such fund shall be paid</p>	<p>Air Force Reserve.</p> <p>SEC. 204. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That the Secretary shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this or any other Commerce, Justice, State Appropriations Act.</p> <p>SEC. 205. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for</p>

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	<p>in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automated data processing (ADP) software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary: Provided further, That such fund shall provide services on a competitive basis: Provided further, That an amount not to exceed 4 percent of the total annual income to such fund may be retained in the fund for fiscal year 2003 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment, and for the improvement and implementation of department financial management, ADP, and other support systems: Provided further, That such amounts retained in the fund for fiscal year 2003 and each fiscal year thereafter shall be available for obligation and expenditure only in accordance with section 605 of this Act: Provided further, That no later than 30 days after the end of each fiscal year, amounts in excess of this reserve limitation shall be deposited as miscellaneous receipts in the Treasury: Provided further, That such franchise fund pilot program shall terminate pursuant to section 403(f) of Public Law 103-356.</p> <p align="center">SEC. 207. Notwithstanding any other provision of law,</p>	<p>obligation or expenditure except in compliance with the procedures set forth in that section.</p> <p>SEC. 206. Hereafter the Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949.</p> <p>SEC. 207. The Secretary of Commerce may use the Commerce franchise fund for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 403 of Public Law 103-356: Provided, That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made for the purpose of providing capital shall be used to capitalize such fund: Provided further, That such fund shall be paid in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automated data processing (ADP) software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary:</p> <p>Provided further, That such fund shall provide services on a competitive basis: Provided further, That an amount</p>

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	<p>of the amounts made available elsewhere in this title to the ``National Institute of Standards and Technology, Construction of Research Facilities'', \$14,000,000 is appropriated to fund a cooperative agreement with the Medical University of South Carolina, \$6,000,000 is appropriated to the Thayer School of Engineering for the nanocrystalline materials and biomass research initiative, \$3,000,000 is appropriated to the Institute for Information Infrastructure Protection at the Institute for Security Technology Studies, \$4,000,000 is appropriated for the Institute for Politics, and \$1,260,000 is appropriated to the Franklin Pierce College.</p> <p>SEC. 208. Of the amounts available from the fund entitled ``Promote and Develop Fishery Products and Research Pertaining to American Fisheries'', Saltonstall-Kennedy grants may be issued only in the priority funding areas of Fishing Capacity Reduction under the Magnuson-Stevens Act Sections 312(b)-(e), Conservation Engineering, Optimum Utilization of Harvested Resources under Federal or State Management, Marine Aquaculture, and Fisheries Socioeconomics: Provided, That no funds shall be provided under the Saltonstall-Kennedy Grant Program for any grant related to Atlantic salmon aquaculture development considering the endangered species status of Atlantic salmon.</p> <p>SEC. 209. Of the amount available from the fund entitled ``Promote and Develop Fishery Products and Research Pertaining to American Fisheries'',</p>	<p>not to exceed 4 percent of the total annual income to such fund may be retained in the fund for fiscal year 2003 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment, and for the improvement and implementation of department financial management, ADP, and other support systems:</p> <p>Provided further, That such amounts retained in the fund for fiscal year 2003 and each fiscal year thereafter shall be available for obligation and expenditure only in accordance with section 605 of this Act: Provided further, That no later than 30 days after the end of each fiscal year, amounts in excess of this reserve limitation shall be deposited as miscellaneous receipts in the Treasury: Provided further, That such franchise fund pilot program shall terminate pursuant to section 403(f) of Public Law 103-356.</p> <p>SEC. 208. Notwithstanding any other provision of law, of the amounts made available elsewhere in this title to the 'National Institute of Standards and Technology, Construction of Research Facilities', \$14,000,000 is appropriated to fund a cooperative agreement with the Medical University of South Carolina, \$6,000,000 is appropriated to the Thayer School of Engineering for the nanocrystalline materials and biomass research initiative, \$3,000,000 is appropriated to the Institute for Information Infrastructure Protection at the Institute for Security Technology Studies, \$4,000,000 is appropriated for the Institute for Politics, and \$1,260,000 is appropriated to the Franklin Pierce Manse.</p>

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	<p>\$20,000,000 shall be provided to develop an Alaska seafood marketing program.</p> <p>SEC. 210. (a) The Secretary of Commerce is authorized to award grants and make direct lump sum payments in support of an international advertising and promotional campaign developed in consultation with the private sector to encourage individuals to travel to the United States consisting of radio, television, and print advertising and marketing programs.</p> <p>(b) The United States Travel and Tourism Promotion Advisory Board (hereinafter ``Board") is established to recommend the appropriate coordinated activities to the Secretary for funding.</p> <p>(c) The Secretary shall appoint the Board within 30 days of enactment and shall include tourism-related entities he deems appropriate.</p> <p>(d) The Secretary shall consult with the Board and state and regional tourism officials on the disbursement of funds.</p> <p>(e) There is authorized to be appropriated \$50,000,000, to remain available until expended, and \$50,000,000 is appropriated to implement this section.</p> <p>SEC. 211. From funds made available from the ``Operations and Training" account, not more than \$50,000 shall be made available to the Maritime Administration for administrative expenses to oversee</p>	<p>SEC. 209. Of the amount available from the fund entitled `Promote and Develop Fishery Products and Research Pertaining to American Fisheries', \$10,000,000 shall be provided to develop an Alaska seafood marketing program. Such amount shall be made available as a direct lump sum payment to the Alaska Fisheries Marketing Board (hereinafter `Board') which is hereby established to award grants to market, develop, and promote Alaska seafood and improve related technology and transportation with emphasis on wild salmon, of which 20 percent shall be transferred to the Alaska Seafood Marketing Institute. The Board shall be appointed by the Secretary of Commerce and shall be administered by an Executive Director to be appointed by the Secretary. The Board shall submit an annual report to the Secretary detailing the expenditures of the board.</p> <p>SEC. 210. (a) The Secretary of Commerce is authorized to award grants and make direct lump sum payments in support of an international advertising and promotional campaign developed in consultation with the private sector to encourage individuals to travel to the United States consisting of radio, television, and print advertising and marketing programs.</p> <p>(b) The United States Travel and Tourism Promotion Advisory Board (hereinafter `Board') is established to recommend the appropriate coordinated activities to the Secretary for funding.</p> <p>(c) The Secretary shall appoint the Board within 30 days of enactment and shall include tourism-related</p>

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	<p>the implementation of this section for the purpose of recovering economic and national security benefits to the United States following the default under the construction contract described in section 8109 of the Department of Defense Appropriations Act for Fiscal Year 1998 (Public Law 105-56): Provided, That the owner of any ship documented under the authority of this section shall offset such appropriation through the payment of fees to the Maritime Administration not to exceed the appropriation and that such fees be deposited as an offsetting collection to this appropriation: Provided further, That notwithstanding any other provision of law, one or both ships originally contracted under section 8109 of Public Law 105-56 may be constructed to completion in a shipyard located outside of the United States and the owner thereof (or a related person with respect to that owner) may document one or both ships under U.S. flag with a coastwise endorsement, and notwithstanding any other provision of law, and not later than two years after entry into service of the first ship contracted for under section 8109 of Public Law 105-56, that owner (or a related person with respect to that owner) may re-document under U.S. flag with a coastwise endorsement one additional foreign-built cruise ship: Provided further, That: (1) the owner of any cruise ship documented under the authority of this section is a citizen of the United States within the meaning of 46 U.S.C. 12102(a), (2) the foreign-built cruise ship re-documented under the authority of this section meets the eligibility</p>	<p>entities he deems appropriate.</p> <p>(d) The Secretary shall consult with the Board and State and regional tourism officials on the disbursement of funds.</p> <p>(e) There is authorized to be appropriated \$50,000,000, to remain available until expended, and \$50,000,000 is appropriated to implement this section.</p> <p>SEC. 211. From funds made available from the 'Operations and Training' account, not more than \$50,000 shall be made available to the Maritime Administration for administrative expenses to oversee the implementation of this section for the purpose of recovering economic and national security benefits to the United States following the default under the construction contract described in section 8109 of the Department of Defense Appropriations Act for Fiscal Year 1998 (Public Law 105-56): Provided, That the owner of any ship documented under the authority of this section shall offset such appropriation through the payment of fees to the Maritime Administration not to exceed the appropriation and that such fees be deposited as an offsetting collection to this appropriation: Provided further, That notwithstanding any other provision of law, one or both ships originally contracted under section 8109 of Public Law 105-56 may be constructed to completion in a shipyard located outside of the United States and the owner thereof (or a related person with respect to</p>

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	<p>requirements for a certificate of inspection under section 1137(a) of Public Law 104-324 and applicable international agreements and guidelines referred to in section 1137(a)(2) thereof and the 1992 Amendments to the Safety of Life at Sea Convention of 1974, and that with respect to the re-documented foreign-built cruise ship, any repair, maintenance, alteration, or other preparation necessary to meet such requirements be performed in a United States shipyard, (3) any non-warranty repair, maintenance, or alteration work performed on any ship documented under the authority of this section shall be performed in a United States shipyard unless the Administrator of the Maritime Administration finds that such services are not available in the United States or if an emergency dictates that the ship proceed to a foreign port for such work, (4) any ship documented under the authority of this section shall operate in regular service between or among the islands of Hawaii, (5) no person, nor any ship operating between or among the islands of Hawaii, shall be entitled to the preference contained in the second proviso of section 8109 of Public Law 105-56, and (6) no cruise ship operating in coastwise trade under the authority of this section or constructed under the authority of this section shall be eligible for a guarantee of financing under title XI of the Merchant Marine Act 1936: Provided further, That any cruise ship to be documented under the authority of this section shall be immediately eligible before documentation of the vessel for the approval contained in section</p>	<p>that owner) may document 1 or both ships under United States flag with a coastwise endorsement, and notwithstanding any other provision of law, and not later than 2 years after entry into service of the first ship contracted for under section 8109 of Public Law 105-56, that owner (or a related person with respect to that owner) may re-document under United States flag with a coastwise endorsement 1 additional foreign-built cruise ship: Provided further, That: (1) the owner of any cruise ship documented under the authority of this section is a citizen of the United States within the meaning of 46 U.S.C. 12102(a), (2) the foreign-built cruise ship re-documented under the authority of this section meets the eligibility requirements for a certificate of inspection under section 1137(a) of Public Law 104-324 and applicable international agreements and guidelines referred to in section 1137(a)(2) thereof and the 1992 Amendments to the Safety of Life at Sea Convention of 1974, and that with respect to the re-documented foreign-built cruise ship, any repair, maintenance, alteration, or other preparation necessary to meet such requirements be performed in a United States shipyard, (3) any non-warranty repair, maintenance, or alteration work performed on any ship documented under the authority of this section shall be performed in a United States shipyard unless the Administrator of the Maritime Administration finds that such services are not available in the United States or if an emergency dictates that the ship proceed to a foreign port for such work, (4) any ship documented</p>

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	<p>1136(b) of Public Law 104-324: Provided further, That for purposes of this section the term ``cruise ship" means a vessel that is at least 60,000 gross tons and not more than 120,000 gross tons (as measured under chapter 143 of title 46, United States Code) and has berth or stateroom accommodations for at least 1,600 passengers, the term ``one or both ships" means collectively the partially completed hull and related components, equipment, and parts of whatever kind acquired pursuant to the construction contract described in section 8109 of Public Law 105-56 and intended to be incorporated into the ships constructed thereto, the term ``related person" means with respect to a person: a holding company, subsidiary, or affiliate of such person meeting the citizenship requirements of section 12102(a) of title 46, United States Code, and the term ``regular service" means the primary service in which the ship is engaged on an annual basis.</p> <p>TITLE VI--GENERAL PROVISIONS</p> <p>SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.</p> <p>SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.</p>	<p>under the authority of this section shall operate in regular service transporting passengers between or among the islands of Hawaii and shall not transport passengers in revenue service to ports in Alaska, the Gulf of Mexico, or the Caribbean Sea, except as part of a voyage to or from a shipyard for ship construction, repair, maintenance, or alteration work, (5) no person, nor any ship operating between or among the islands of Hawaii, shall be entitled to the preference contained in the second proviso of section 8109 of Public Law 105-56, and (6) no cruise ship operating in coastwise trade under the authority of this section or constructed under the authority of this section shall be eligible for a guarantee of financing under title XI of the Merchant Marine Act of 1936: Provided further, That any cruise ship to be documented under the authority of this section shall be immediately eligible before documentation of the vessel for the approval contained in section 1136(b) of Public Law 104-324: Provided further, That for purposes of this section the term `cruise ship' means a vessel that is at least 60,000 gross tons and not more than 120,000 gross tons (as measured under chapter 143 of title 46, United States Code) and has berth or stateroom accommodations for at least 1,600 passengers, the term `one or both ships' means collectively the partially completed hull and related components, equipment, and parts of whatever kind acquired pursuant to the construction contract described in section 8109 of Public Law 105-56 and intended to be incorporated into the ships constructed thereto, the term `related person' means with respect to a person: a holding company, subsidiary, or affiliate of such person meeting the citizenship requirements of section 12102(a) of title 46,</p>



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	<p>SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.</p> <p>SEC. 604. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, enforce, or otherwise abide by the Memorandum of Agreement signed by the Federal Trade Commission and the Antitrust Division of the Department of Justice on March 5, 2002.</p> <p>SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2003, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any</p>	<p>United States Code, and the term 'regular service' means the primary service in which the ship is engaged on an annual basis.</p> <p>SEC. 212. (a) The Secretary of Commerce shall implement a fishing capacity reduction program for the West Coast groundfish fishery pursuant to section 212 of Public Law 107-206 and 16 U.S.C. 1861a (b)-(e); except that the program may apply to multiple fisheries; except that within 90 days after the date of enactment of this Act, the Secretary shall publish a public notice in the Federal Register and issue an invitation to bid for reduction payments that specifies the contractual terms and conditions under which bids shall be made and accepted under this section; except that section 144(d)(1)(K)(3) of title I, division B of Public Law 106-554 shall apply to the program implemented by this section.</p> <p>(b) A reduction fishery is eligible for capacity reduction under the program implemented under this section; except that no vessel harvesting and processing whiting in the catcher-processors sector (section 19 660.323(a)(4)(A) of title 50, Code of Federal Regulations) may participate in any capacity reduction referendum or industry fee established under this section.</p> <p>(c) A referendum on the industry fee system shall occur after bids have been submitted, and such bids have been accepted by the Secretary, as follows: members of the reduction fishery, and persons who have been issued Washington, Oregon, or California Dungeness crab and Pink shrimp permits, shall be eligible to vote in the</p>

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	<p>functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.</p> <p>(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2003, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects (including construction projects), or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.</p> <p>SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards</p>	<p>referendum to approve an industry fee system; referendum votes cast in each fishery shall be weighted in proportion to the debt obligation of each fishery, as calculated in subsection (f) of this section; the industry fee system shall be approved if the referendum votes cast in favor of the proposed system constitute a simple majority of the participants voting; except that notwithstanding 5 U.S.C. 553 and 16 U.S.C. 1861a(e), the Secretary shall not prepare or publish proposed or final regulations for the implementation of the program under this section before the referendum is conducted.</p> <p>(d) Nothing in this section shall be construed to prohibit the Pacific Fishery Management Council from recommending, or the Secretary from approving, changes to any fishery management plan, in accordance with applicable law; or the Secretary from promulgating regulations (including regulations governing this program), after an industry fee system has been approved by the reduction fishery.</p> <p>(e) The Secretary shall determine, and state in the public notice published under paragraph (a), all program implementation aspects the Secretary deems relevant.</p> <p>(f) Any bid submitted in response to the invitation to bid issued by the Secretary under this section shall be irrevocable; the Secretary shall use a bid acceptance procedure that ranks each bid in accordance with this paragraph and with additional criteria, if any, established by the Secretary: for each bid from a qualified bidder that meets the bidding requirements in the public notice or the</p>

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	<p>located outside of the United States.</p> <p>SEC. 607. Of the funds appropriated in this Act under the heading ``Office of Justice Programs--State and Local Law Enforcement Assistance", not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as the direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits at the time of retirement or separation as they received while on duty.</p> <p>SEC. 608. Hereafter, none of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.</p>	<p>invitation to bid, the Secretary shall determine a bid score by dividing the bid's dollar amount by the average annual total ex-vessel dollar value of landings of Pacific groundfish, Dungeness crab, and Pink shrimp based on the 3 highest total annual revenues earned from such stocks that the bidder's reduction vessel landed during 1998, 1999, 2000, or 2001. For purposes of this paragraph, the term `total annual revenue' means the revenue earned in a single year from such stocks. The Secretary shall accept each qualified bid in rank order of bid score from the lowest to the highest until acceptance of the next qualified bid with the next lowest bid score would cause the reduction cost to exceed the reduction loan's maximum amount. Acceptance of a bid by the Secretary shall create a binding reduction contract between the United States and the person whose bid is accepted, the performance of which shall be subject only to the conclusion of a successful referendum, except that a person whose bid is accepted by the Secretary under this section shall relinquish all permits in the reduction fishery and any Dungeness crab and Pink shrimp permits issued by Washington, Oregon, or California; except that the Secretary shall revoke the Pacific groundfish permit, as well as all Federal fishery licenses, fishery permits, area, and species endorsements, and any other fishery privileges issued to a vessel or vessels (or to persons on the basis of their operation or ownership of that vessel or vessels) removed under the program.</p> <p>(g) The Secretary shall establish separate reduction loan sub-amounts and repayment fees for fish sellers in the reduction fishery and for fish sellers in each of the fee-</p>

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	<p>SEC. 609. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999, as amended.</p> <p>(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2003.</p> <p>(c) Notwithstanding any other provision of law, attorneys in positions funded with amounts made available under the headings "Salaries and Expenses, General Legal Activities" and "Salaries and Expenses, United States Attorneys" in title I of this Act shall be compensated on an hourly basis, weekly compensation to be determined by mechanical means, and shall have such fixed breaks each work day as are afforded other hourly workers employed by the Department of Justice.</p> <p>SEC. 610. None of the funds appropriated pursuant to this Act or any other provision of law may be used for: (1) the implementation of any tax or fee in connection with the implementation of 18 U.S.C. 922(t); and (2) any system to implement 18 U.S.C. 922(t) that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from owning a firearm.</p>	<p>share fisheries by dividing the total ex-vessel dollar value during the bid scoring period of all reduction vessel landings from the reduction fishery and from each of the fee-share fisheries by the total such value of all such landings for all such fisheries; and multiplying the reduction loan amount by each of the quotients resulting from each of the divisions above. Each of the resulting products shall be the reduction loan sub-amount for the reduction fishery and for each of the fee-share fisheries to which each of such products pertains; except that, each fish seller in the reduction fishery and in each of the fee-share fisheries shall pay the fees required by the reduction loan sub-amounts allocated to it under this paragraph; except that, the Secretary may enter into agreements with Washington, Oregon, and California to collect any fees established under this paragraph.</p> <p>(h) Notwithstanding 46 U.S.C. App. 1279(b)(4), the reduction loan's term shall not be less than 30 years.</p> <p>(i) It is the sense of the Congress that the States of Washington, Oregon, and California should revoke all relinquishment permits in each of the fee-share fisheries immediately after reduction payment, and otherwise to implement appropriate State fisheries management and conservation provisions in each of the fee-share fisheries that establishes a program that meets the requirements of 16 U.S.C. 141861a(b)(1)(B) as if it were applicable to fee-share fisheries.</p> <p>(j) The term 'fee-share fishery' means a fishery, other than the reduction fishery, whose members are eligible to</p>

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	<p>SEC. 611. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of \$566,500,000 shall not be available for obligation until the following fiscal year, with the exception of emergency appropriations made available by Public Law 107-38 and transferred to the Fund.</p> <p>SEC. 612. None of the funds appropriated or otherwise made available to the Department of State and the Department of Justice shall be available for the purpose of granting either immigrant or nonimmigrant visas, or both, consistent with the Secretary's determination under section 243(d) of the Immigration and Nationality Act, to citizens, subjects, nationals, or residents of countries that the Attorney General has determined deny or unreasonably delay accepting the return of citizens, subjects, nationals, or residents under that section.</p> <p>SEC. 613. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.</p>	<p>vote in a referendum for an industry fee system under paragraph (c).</p> <p>The term 'reduction fishery' means that portion of a fishery holding limited entry fishing permits endorsed for the operation of trawl gear and issued under the Federal Pacific Coast Groundfish Fishery Management Plan.</p> <p>SEC. 213. (a) The National Oceanic and Atmospheric Administration is authorized to enter into a lease arrangement whereby the National Oceanic and Atmospheric Administration will relocate the National Weather Service Forecasting Office in Galveston County, League City, Texas to a Galveston County facility and, in exchange, Galveston County may use the existing National Oceanic and Atmospheric Administration National Weather Service Forecasting Office.</p> <p>(b) Neither the National Oceanic and Atmospheric Administration National Weather Service nor Galveston County will charge the other rent for use of the space and each will be responsible for the operation, maintenance and renovation costs it incurs.</p> <p>SEC. 214. (a) Hereafter, habitat conservation activities, enforcement and surveillance--cooperative enforcement and vessel monitoring, stock assessments--data collection, and highly migratory shark fishery research under the heading, 'National Oceanic and Atmospheric Administration, Operations, Research and Facilities', shall be considered to be within the 'Coastal Assistance sub-category' in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</p>

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	<p>SEC. 614. Hereafter, none of the funds appropriated by this Act or any other Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.</p> <p>SEC. 615. Of the amounts provided for ``Small Business Administration, Salaries and Expenses'', \$31,625,000, of which \$2,000,000 shall be available for a grant to the Innovation and Commercialization Center; \$2,000,000 shall be available for the Mississippi State University MAF/TIGER database project; \$1,000,000 shall be for the Black Hills Rural Tourism Marketing Program; \$1,500,000 shall be for the Center for Tourism Research; \$3,125,000 shall be for the National Inventor's Hall of Fame; \$5,000,000 shall be for the Boston Museum of Science; \$2,000,000 shall be for the Tuck School and Minority Business Development Agency Partnership; \$2,000,000 shall be for the Oklahoma International Trade Processing Center; \$300,000 shall be for the Center for Women and Enterprise; \$500,000 shall be for the Ogontz Revitalization Corporation; \$800,000 shall be for Kennesaw State University Family Business Initiative; \$500,000 shall be for the Idaho Virtual Incubator, Phase III; \$1,600,000 shall be for the Adelante grant; \$300,000 shall be for the Immigration Services project in Iowa; \$2,000,000 shall be for the Microdevice Fabrication Facility; \$4,000,000 shall be for the Marine Mammal Commission; \$600,000 shall be for the Carvers Bay Library;</p>	<p>(b) For fiscal year 2004 and thereafter, response and restoration activities, Cooperative Research, Protected Species activities, Endangered Species Act--Marine Mammals, Sea Turtles and Other Species, Endangered Species Act--Right Whales, Marine Mammal Protection, and Sea Grant (except for the fellowship program) under the heading, 'National Oceanic and Atmospheric Administration, Operations, Research, and Facilities', shall be considered to be within the 'Coastal Assistance sub-category' in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</p> <p>(c) All references to outlays in title VIII of Public Law 106-291 are repealed.</p> <p>This title may be cited as the 'Department of Commerce and Related Agencies Appropriations Act, 2003'.</p> <p><b>TITLE VI--GENERAL PROVISIONS</b></p> <p>SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.</p> <p>SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.</p> <p>SEC. 603. The expenditure of any appropriation under</p>

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	<p>\$1,000,000 shall be for technical upgrades for the Northwest Center for Engineering, Science, and Technology; \$200,000 shall be for the Southern New Mexico High Technology Consortium; \$1,000,000 shall be for the American Museum of Natural History; and \$200,000 shall be for the Program for International Education and Training.</p> <p>SEC. 616. Section 1605 of title 28, United States Code is amended by adding a new subsection (h) as follows:</p> <p>“(h) CAUSE OF ACTION FOR IRANIAN HOSTAGES.--Notwithstanding any provision of the Algiers Accords, or any other international agreement, any United States citizen held hostage in Iran after November 1, 1979, and their spouses and children at the time, shall have a claim for money damages against the government of Iran. Any provision in an international agreement, including the Algiers Accords that purports to bar such suit is abrogated. This subsection shall apply retroactively to any cause of action cited in 28 U.S.C. 1605 (a)(7)(A).</p> <p>SEC. 617. Any amounts previously appropriated for the Port of Anchorage for an intermodal marine facility and access thereto shall be transferred to and administered by the Administrator for the Maritime Administration including non-federal contributions.</p>	<p>this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.</p> <p>SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.</p> <p>SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2003, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.</p>

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				<p>(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2003, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects (including construction projects), or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.</p> <p>SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.</p> <p>SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS- It is the sense of the Congress that, to the greatest extent practicable, all</p>



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				<p>equipment and products purchased with funds made available in this Act should be American-made.</p> <p>(b) NOTICE REQUIREMENT- In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.</p> <p>(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA- If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a 'Made in America' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.</p> <p>SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed.</p>

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				<p>Reg. 51266).</p> <p>SEC. 609. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds: (1) that the United Nations undertaking is a peacekeeping mission; (2) that such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) that the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.</p> <p>SEC. 610. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.</p> <p>(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2003.</p> <p>SEC. 611. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, enforce, or otherwise abide by the Memorandum of Agreement signed by the Federal Trade Commission and the Antitrust Division of the Department</p>

<p align="center"><b>BILL (HOUSE)</b></p> <p align="center">Commerce Justice State the Judiciary and Related Agencies Appropriations Bill, 2003 (H.R. 247) <b>National Oceanic and Atmospheric Administration (NOAA)</b></p>		<p align="center"><b>BILL (SENATE)</b></p> <p align="center"><b>HJ Res 2, Amendment 1- FY 2003 Omnibus Appropriations Act</b> <b>National Oceanic and Atmospheric Administration (NOAA)</b></p>		<p align="center"><b>BILL (CONFERENCE)</b></p> <p align="center">HJ Res 2- FY 2003 Omnibus Appropriations Act (P.L. 108- 7) <b>National Oceanic and Atmospheric Administration (NOAA)</b></p>
				<p>of Justice on March 5, 2002.</p> <p>SEC. 612. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.</p> <p>SEC. 615. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999, as amended.</p> <p>(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2003.</p> <p>SEC. 616. None of the funds appropriated pursuant to this Act or any other provision of law may be used for: (1) the implementation of any tax or fee in connection with the implementation of 18 U.S.C. 922(t); and (2) any system to implement 18 U.S.C. 922(t) that does not</p>

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				<p>require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from owning a firearm.</p> <p>SEC. 617. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of \$600,000,000 shall not be available for obligation until the following fiscal year, with the exception of emergency appropriations made available by Public Law 107-38 and transferred to the Fund.</p> <p>SEC. 622. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.</p> <p>SEC. 623. Of the funds appropriated in this Act for the Departments of Commerce, Justice, and State, the Judiciary, and the Small Business Administration, \$100,000 shall be available to each Department or agency only to implement telecommuting programs: Provided, That, 6 months after the date of enactment of this Act and every 6 months thereafter, each Department or agency shall provide a report to the Committees on Appropriations on the status of telecommuting programs, including the number of Federal employees eligible for, and participating in, such programs: Provided further, That each Department or agency shall designate a 'Telework Coordinator' to be responsible for overseeing</p>

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<p>TITLE VII--RESCISSIONS DEPARTMENT OF COMMERCE</p> <p>National Oceanic and Atmospheric Administration</p> <p>COASTAL IMPACT ASSISTANCE (RESCISSION)</p> <p>Of the unobligated balances available under this heading, \$7,000,000 are rescinded.</p>				<p>the implementation of telecommuting programs and serve as a point of contact on such programs for the Committees on Appropriations.</p> <p>TITLE VII—RESCISSIONS DEPARTMENT OF COMMERCE</p> <p>National Oceanic and Atmospheric Administration</p> <p>COASTAL IMPACT ASSISTANCE (RESCISSION)</p> <p>Of the unobligated balances available under this heading, \$7,000,000 are rescinded.</p> <p>DIVISION J--TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS, 2003</p> <p>Joint Resolution</p> <p>Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes.</p> <p>That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending</p>

<b>BILL (HOUSE)</b> Commerce Justice State the Judiciary and Related Agencies Appropriations Bill, 2003 (H.R. 247) <b>National Oceanic and Atmospheric Administration  (NOAA)</b>		<b>BILL (SENATE)</b> <b>HJ Res 2, Amendment 1- FY 2003 Omnibus  Appropriations Act</b> <b>National Oceanic and Atmospheric Administration  (NOAA)</b>		<b>BILL (CONFERENCE)</b> HJ Res 2- FY 2003 Omnibus Appropriations Act (P.L. 108- 7) <b>National Oceanic and Atmospheric Administration  (NOAA)</b>
				<p>September 30, 2003, and for other purposes, namely:</p> <p>TITLE IV--INDEPENDENT AGENCIES</p> <p>REAL PROPERTY ACTIVITIES  FEDERAL BUILDINGS FUND  LIMITATIONS ON AVAILABILITY OF REVENUE  (INCLUDING TRANSFER OF FUNDS)</p> <p>For an additional amount to be deposited in, and to be used for the purposes of, the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), \$375,711,000. The revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of</p>

<b>BILL (HOUSE)</b> Commerce Justice State the Judiciary and Related Agencies Appropriations Bill, 2003 (H.R. 247) <b>National Oceanic and Atmospheric Administration  (NOAA)</b>		<b>BILL (SENATE)</b> <b>HJ Res 2, Amendment 1- FY 2003 Omnibus  Appropriations Act</b> <b>National Oceanic and Atmospheric Administration  (NOAA)</b>		<b>BILL (CONFERENCE)</b> HJ Res 2- FY 2003 Omnibus Appropriations Act (P.L. 108- 7) <b>National Oceanic and Atmospheric Administration  (NOAA)</b>
		<p>TITLE VI__OFFSETS</p>		<p>projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of \$7,006,033,000, of which: (1) \$717,488,000 shall remain available until expended for construction (including funds for sites and expenses and associated design and construction services) of additional projects at the following locations:</p> <p>New Construction:  Maryland:  Suitland, National Oceanic and Atmospheric Administration II, \$9,461,000.</p> <p>DIVISION N--EMERGENCY RELIEF AND OFFSETS</p> <p>SECTION 1. SHORT TITLE- This division may be cited as the 'Miscellaneous Appropriations Act, 2003'.</p> <p>That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2003, and for other purposes, namely:</p> <p>TITLE V--FISHERIES DISASTERS</p> <p>SEC. 501. (a) FISHERIES DISASTERS- In addition to amounts appropriated or otherwise made available, \$100,000,000 is appropriated to the Department of</p>

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				<p>Commerce for fisheries disaster assistance. Not more than 5 percent of such funds may be used for administrative expenses, and no funds may be used for lobbying activities or representational expenses.</p> <p>(b) WESTERN PACIFIC AND NORTH PACIFIC- \$5,000,000 shall be made available as a direct lump sum payment to the State of Hawaii for economic assistance to fisheries affected by Federal closures or fishing restrictions and \$35,000,000 shall be made available as a direct lump sum payment to the State of Alaska no later than 30 days after the date of enactment of this Act to make payments to persons or entities which have experienced significant economic hardship. Funds in Alaska shall be used to provide: (i) personal assistance with priority given to food, energy needs, housing assistance, transportation fuel including subsistence activities, and other urgent needs; (ii) assistance for small businesses including fishermen, fish processors, and related businesses serving the fishing industry; (iii) and assistance for local and borough governments adversely affected by reductions in fish landing fees and other fishing-related revenue; and (iv) product development and marketing.</p> <p>(c) NORTHEAST AND WEST COAST- \$10,000,000 shall be made available to conduct a voluntary fishing capacity reduction program in the Northeast multispecies fishery and \$10,000,000 shall be made available to conduct a voluntary fishing capacity reduction program in the West Coast groundfish fishery. Such sums shall supplement the voluntary capacity reduction program</p>



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				<p>authorized for the fishery in section 211 of Public Law 107-206 and be consistent with section 312(b) of the Magnuson-Stevens Fishery Conservation and Management Act and the requirements relating to the capacity program in section 211 of Public Law 107-206 that shall--</p> <p>(1) permanently revoke all fishery licenses, fishery permits, area and species endorsements, and any other fishery privileges issued to a vessel or vessels (or to persons on the basis of their operation or ownership of that vessel or vessels) removed under the program; and</p> <p>(2) ensure that vessels removed under the program are made permanently ineligible to participate in any fishery worldwide, and that the owners of such vessels will operate only under the United States flag or be scrapped as a reduction vessel pursuant to section 600.1011(c) of title 50, Code of Federal Regulations.</p> <p>(d) GULF AND SOUTH ATLANTIC-</p> <p>(1) \$17,500,000 shall be made available for assistance to the shrimp industries in the States of South Carolina, Georgia, North Carolina, and Florida in proportion to the percentage of the shrimp catch landed by each State for economic assistance to the South Atlantic shrimp fishery: Provided, That the State of Florida shall receive only that proportion associated with landings of the Florida east coast fishery; and</p> <p>(2) \$17,500,000 shall be made available for assistance to the shrimp industries in the States of</p>

<b>BILL (HOUSE)</b> Commerce Justice State the Judiciary and Related Agencies Appropriations Bill, 2003 (H.R. 247) <b>National Oceanic and Atmospheric Administration  (NOAA)</b>		<b>BILL (SENATE)</b> <b>HJ Res 2, Amendment 1- FY 2003 Omnibus  Appropriations Act</b> <b>National Oceanic and Atmospheric Administration  (NOAA)</b>		<b>BILL (CONFERENCE)</b> HJ Res 2- FY 2003 Omnibus Appropriations Act (P.L. 108- 7) <b>National Oceanic and Atmospheric Administration  (NOAA)</b>
				Mississippi, Texas, Alabama, Louisiana, and Florida in proportion to the percentage of the shrimp catch landed by each State for economic assistance to the Gulf shrimp fishery: Provided, That the State of Florida shall receive only that proportion associated with landings of the Florida gulf coast fishery. Provided further, That 2 percent of funds received by each State shall be retained by the State for distribution of additional payments to fishermen with a demonstrated record of compliance with turtle excluder and bycatch reduction device regulations, and that the remainder of the funds may be used only for: (A) personal assistance with priority given to food, energy needs, housing assistance, transportation fuel, and other urgent needs; (B) assistance for small businesses including fishermen, fish processors, and related businesses serving the fishing industry; (C) domestic product marketing and seafood promotion; (D) State seafood testing programs; (E) development of limited entry programs for the fishery; (F) funding or other incentives to ensure widespread and proper use of turtle excluder devices and bycatch reduction devices in the fishery; and (G) voluntary capacity reduction programs for shrimp fisheries under limited access. (e) BLUE CRAB FISHERY- \$5,000,000 shall be made available for assistance to blue crab fisheries affected by reduced harvests and sales of blue crab in proportion to the amount of the catch landed by each State: Provided, That such funds may be used only for: (i) personal assistance with priority given to food, energy needs, housing assistance, transportation fuel, and other urgent needs; (ii) assistance for small businesses including fishermen, fish processors, and related businesses serving

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	<p align="center">SEC. 601. (a) ACROSS_THE_BOARD RESCISSIONS_ There is hereby rescinded an amount equal to 1.6 percent of__ (1) the budget authority provided for fiscal year 2003 for any discretionary account in divisions A through K of this joint resolution; and</p> <p align="center">(2) the budget authority provided in any advance appropriation for fiscal year 2003 for any discretionary account in any prior fiscal year appropriations Act.</p> <p align="center">(</p> <p align="center">b) PROPORTIONATE APPLICATION_ Any rescission made by subsection (a) shall be applied proportionately__</p> <p align="center">(1) to each discretionary account and each item of</p>	<p>the fishing industry; (iii) domestic product marketing and seafood promotion; and (iv) state seafood testing programs: Provided further, That the Secretary of Commerce, in consultation with the Commandant of the Coast Guard, shall provide coordinated, enhanced and routine support for fisheries monitoring and enforcement through use of remote sensing, aircraft and communications assets, with particular emphasis on Federal waters seaward of the coasts of South Carolina and Georgia, including the Charleston Bump closed area.</p> <p align="center">TITLE VI--OFFSETS</p> <p align="center">SEC. 601. (a) ACROSS-THE-BOARD RESCISSIONS- There is hereby rescinded an amount equal to 0.65 percent of-- (1) the budget authority provided (or obligation limitation imposed) for fiscal year 2003 for any discretionary account in divisions A through K of this joint resolution;</p> <p align="center">(2) the budget authority provided in any advance appropriation for fiscal year 2003 for any discretionary account in any prior fiscal year appropriations Act; and</p> <p align="center">(3) the contract authority provided in fiscal year 2003 for any program subject to limitation contained in this joint resolution.</p> <p align="center">(b) PROPORTIONATE APPLICATION- Any rescission made by subsection (a) shall be applied proportionately--</p>

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	<p>budget authority described in subsection (a); and</p> <p>(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).</p> <p>Attest:</p> <p>Secretary.</p>	<p>(1) to each discretionary account and each item of budget authority described in subsection (a); and</p> <p>(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).</p> <p>(c) The rescission in subsection (a) shall not apply to budget authority appropriated or otherwise made available by this joint resolution in the following amounts in the following activities or accounts:</p> <p>\$4,696,000,000 provided for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) in the Department of Agriculture in division A;</p> <p>\$6,667,533,000 provided for the Head Start Act in the Department of Education in division G;</p> <p>\$23,889,304,000 provided for medical care in the Department of Veterans Affairs in division K; and</p> <p>\$3,836,000,000 provided for the Shuttle program in the National Aeronautics and Space Administration in division K.</p>